

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WARREN B. MCFERREN,

Plaintiff,

v.

RECEIVABLES MANAGEMENT
PARTNERS, LLC,

Defendant.

Case No. 1:19-cv-00531

Honorable Thomas M. Durkin

Honorable Susan E. Cox
Magistrate Judge

PLAINTIFF'S INITIAL STATUS REPORT¹

Pursuant to Fed. R. Civ. P. 26(f), Plaintiff, WARREN B. MCFERREN, submits the following initial status report.

A. Nature of the Case

A. Identify the attorneys of record for each party, including the lead trial attorney.

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*Counsel for Receivables Management
Partners, LLC*

¹ Counsel for Plaintiff sincerely apologizes for its inadvertent oversight in failing to circulate an Initial Status Report to Counsel for Defendant.

B. State the basis for federal jurisdiction.

Subject matter jurisdiction is conferred over Plaintiff's Fair Debt Collection Practices Act ("FDCPA") claims by 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d).

Subject matter jurisdiction is conferred over Plaintiff's Telephone Consumer Protection Act ("TCPA") claims by 28 U.S.C. § 1331.

C. Describe the nature of the claims asserted in the complaint and any counterclaims.

Plaintiff's claims are founded on alleged improper collection activities in violation of 15 U.S.C. §§ 1692d(5) and g(a); as well as calls placed to Plaintiff by an automated telephone dialing system or an artificial or pre-recorded voice to a telephone number assigned to a cellular telephone service by Defendant in violation of 47 U.S.C. §227 (b)(1)(A)(iii).

B. Pending Motions and Case Plan

A. Identify any pending motions.

None.

B. Confirm that the parties have read the district court's standing order for the MIDP program. Describe your discussions regarding MIDP, including resolved and unresolved disagreements regarding such discovery.

Plaintiff read the district court's standing order for the MIDP program. The parties haven't held discussions regarding MIDP; however, don't foresee disagreements regarding such discovery.

C. Submit a proposal for a discovery plan, including the following information:

1. The type of discovery needed;

Oral and written.

2. A date to issue written discovery not already covered under the mandatory disclosures required by the MID;

May 2, 2019.

3. **If there will be expert discovery relevant to dispositive liability motions, an expert discovery completion date, including dates for the delivery of expert reports;**

Plaintiff will disclose experts by July 17, 2019. Defendant will disclose experts by August 1, 2019. Expert reports will be delivered by September 10, 2019. Expert discovery will be completed by October 9, 2019.

4. **A liability discovery completion date;**

August 13, 2019.

5. **A deadline to amend pleadings;**

June 27, 2019

D. E-Discovery

1. **Indicate whether discovery will encompass electronically stored information, and the parties' plan to ensure that such discovery proceeds appropriately;**

Discovery is unlikely to encompass electronically stored information.

2. **Indicate whether the parties anticipate any electronic discovery disputes and whether the parties would agree to submit an electronic discovery dispute to a mediator from the E-Mediation Panel.**

Discovery is unlikely to encompass electronically stored information. To the extent any electronic discovery disputes would arise, Plaintiff would agree to submit an electronic discovery dispute to a mediator from the E-Mediation Panel.

E. Indicate whether a jury is requested and the probable length of trial.

A jury is requested by both Plaintiff and Defendant. The probable length of trial is two (2) days.

3. **Consent to Proceed Before a Magistrate Judge**

Indicate whether the parties consent unanimously to proceed before a Magistrate Judge for all matters in the case, including dispositive motions and trial.

Plaintiff doesn't consent to proceed before a Magistrate Judge for all matters in the case, including dispositive motions and trial.

4. Status of Settlement Discussions

A. Indicate whether any settlement discussions have occurred, and if so, the status of those discussions.

Plaintiff made settlement demand on February 28, 2019. Plaintiff has not received Defendant's response.

B. Whether the parties request a settlement conference before the Magistrate Judge assigned to the case.

Plaintiff doesn't request a settlement conference at this time; though would respectfully reserve the right to request one in the future to the extent it would expedite the resolution of this case.

DATED: March 29, 2019

Respectfully submitted,

/s/ Joseph S. Davidson

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